

# Exhibit 5

1 UNITED STATES BANKRUPTCY COURT

2 SOUTHERN DISTRICT OF NEW YORK

3 Case No. 09-50026-reg

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5 In the Matter of:

6 MOTORS LIQUIDATION COMPANY, et al.,

7 f/k/a General Motors Corp., et al.

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9 Debtors.

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13 U.S. Bankruptcy Court

14 One Bowling Green

15 New York, NY 10004-1408

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18 February, 18, 2015

19 9:00 AM

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21 B E F O R E :

22 HON ROBERT E. GERBER

23 U.S. BANKRUPTCY JUDGE

24

25 ECRO: K. HARRIS

1 Trust's distributions after becoming aware of their claims  
2 or alleged claims, and because the appellants there had  
3 failed to provide notice to general, unsecured Creditors,  
4 who would be stripped of their recoveries if the relief that  
5 appellants had sought, had been granted.

6 Here, Plaintiffs' argument that their procedural  
7 due process claims should relive them of having to comply  
8 with Chateaugay's diligence factor rings especially hollow,  
9 given that Plaintiffs chose for strategic reasons, not to  
10 pursue claims against the GUC Trust and not to seek to stay  
11 the GUC Trust's distributions even after they became aware  
12 of their alleged claims, and there's no dispute about that,  
13 Your Honor.

14 Under binding Second Circuit case law, the  
15 ramification of that strategic decision is that any claims  
16 the Plaintiffs may seek to pursue against the GUC Trust now  
17 or in the future, are barred by the doctrine of equitable  
18 mootness. And this is the case, Your Honor, even if the  
19 Court accepts Mr. Weisfelner's somewhat half-hearted  
20 argument that the reason that Plaintiffs chose not to seek a  
21 stay was because they believed that they would not have been  
22 able to obtain one under the law. Even if that is so, Your  
23 Honor, the case law is clear that what is important to  
24 satisfy in Chateaugay's diligence factor is that a claimant  
25 seek a stay, not that it obtain one.

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C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certified that the foregoing transcript is a true and accurate record of the proceedings.

A handwritten signature in cursive script that reads "Sonya M. Ledanski Hyde". The signature is written in dark ink and is positioned between the line numbers 5 and 7.

Sonya Ledanski Hyde

Veritext Legal Solutions

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Date: February 20, 2015